

PUBLIC AND PRIVATE ACCESS

Goal

PUBLIC ACCESS

Maintain, enhance, or provide adequate access to public and private lands and resources.

Management Guidelines

A. RETAIN ACCESS

Improve or maintain public access to areas with significant public resource values by retaining access sites and corridors in public ownership, by reserving rights of access when state land is sold or leased, by acquiring access, or by asserting rights-of-way through Revised Statutes Section 2477 (RS 2477). No potential RS 2477 trails are recommended for assertion to implement this plan. Generally, section line easements should not be vacated unless alternative, physically usable access can be established or DNR has determined that state lands in the area should be roadless.

B. ACCESS TO NON-STATE LANDS

Reasonable access will be accommodated across state lands to other public and private lands. Existing legal access will not be precluded unless equivalent access is available.

C. ANCHORAGES

Activities are allowed in anchorages shown on the land use designation maps in Chapter 3 if the land manager determines that the activity will not significantly diminish the use or capacity of the anchorage.

D. MANAGEMENT OF 17(B) EASEMENTS

Generally, DNR will not accept management of 17(b) easements unless it already actively manages a portion of the trail or easement, or state management will best protect public access to state lands.

E. ACCESS FOR DEVELOPMENT

When an access route is constructed for resource development, existing public access should be maintained or improved to mineralized areas, recreation, fish, wildlife, and forest resources, agriculture areas, and other public resources. When determining whether or not to improve existing access, the potential for increasing user conflicts will be considered and solutions sought.

F. ADEQUATE ACCESS RIGHTS

Where practical and within the limits of available funding, full public rights of access should be provided when roads are constructed by state or local governments. Perpetual exclusive easements should be acquired and recorded when the state acquires access rights across property in other ownerships.

G. COORDINATION WITH THE DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES (DOT/PF)

Access needs, such as right-of-way widths or road locations, should be coordinated with DOT/PF. This guideline does not commit DOT/PF to the construction or maintenance of public access facilities.

H. LIMITING ACCESS

Access to state lands may be curtailed at certain times to protect public safety, allow special uses, and prevent harm to the environment and fish and wildlife. Examples of conditions that may justify limiting public access are fire management, timber harvest operations, high soil moisture content when traffic may cause extensive damage to roads and trails, and sensitive populations of fish or wildlife.

I. PURCHASE OF ACCESS SITE

Public appropriations may be requested to purchase access sites, easements, or reservations to public use areas and to proposed settlement projects.

J. ACCESS TO TRAILHEADS

Coastal access across state tidelands to designated trail corridors that begin at the shoreline will be protected.

K. ANCHORING OF FLOATING FACILITIES

An anchoring method, such as shoreties, anchors, or rock bolts, will not prevent access to or along tidelands nor present a hazard to navigation. In areas of significant public use, an anchoring method will not impede such access. Anchors or rock bolts rather than shoreties will be used if they will provide safe mooring for floating facilities. Shoreties will not be used without agreement of the upland owner. Weighting or marking of shoreties may be required to prevent hazards to navigation.

L. ACCESS ALONG MEAN HIGH WATER

Where feasible and prudent, tideland leases and permits will maintain public access 50 feet seaward of mean high water.

M. ACCESS FOR RECREATION & FISH & WILDLIFE HARVEST

Public access will not be precluded to existing recreation and fish and wildlife harvest areas.

N. OTHER GUIDELINES AFFECTING PUBLIC & PRIVATE ACCESS

Other guidelines will affect public and private access. See in particular the following sections of this chapter:

- Fish and Wildlife Habitat and Harvest Areas
- Forestry
- Settlement
- Shorelines and Stream Corridors
- Subsurface Resources
- Transportation and Utilities